S-7 04-16-02

PATENT

Customer No. 22,852

Attorney Docket No. 7099.1606

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of:

Richard M. RATLIFF et al.

Group Art Unit: 2161

Application No.: 09/961,419

Examiner: Unassigned

Filed: September 25, 2001

RECEIVED

For: AVAILABILITY BASED VALUE

APR 0 9 2002

CREATION METHOD AND SYSTEM

**Technology Center 2100** 

Commissioner for Patents Washington, DC 20231

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Copies of the listed documents, including any copending patent applications, are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine

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Serial No. 09/961,419 Attorney Docket No. 7099.1606 Information Disclosure Statement

that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the office the relevant facts and law regarding
the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: April 8, 2002

Barry D. Biddle

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## INFORMATION DISCLOSURE CITATION

| Atty. Docker No. | 7099.1606                 | Appln. No. | 09/961,419 |
|------------------|---------------------------|------------|------------|
| Applicant        | Richard M. RATLIFF et al. |            |            |
| Filing Date      | September 25, 2001        | Group:     | Unassigned |

| Examiner | · · ·              |            |                |        |              |                            |
|----------|--------------------|------------|----------------|--------|--------------|----------------------------|
| Initial* | Document<br>Number | Issue Date | Name           | Class  | Sub<br>Class | Filing Date If Appropriate |
|          | 5,331,546          | 07/19/94   | Webber et al.  | RE     | CEIVE        | D                          |
|          | 5,995,943          | 11/30/99   | Bull et al.    | ΛD     | R 0 9 20     |                            |
|          | 6,101,484          | 08/08/00   | Halbert et al. |        | ,            |                            |
|          | 6,195,652          | 02/27/01   | Fish           | Techno | ogy Cente    | 72700                      |
|          | 6,289,382          | 09/11/01   | Bowman-Amuah   |        |              |                            |
|          | 6,295,541          | 09/25/01   | Bodnar et al.  |        |              |                            |

| FOREIGN PATENT DOCUMENTS |                    |                     |         |       |              |                          |
|--------------------------|--------------------|---------------------|---------|-------|--------------|--------------------------|
|                          | Document<br>Number | Publication<br>Date | Country | Class | Sub<br>Class | Translation<br>Yes or No |
|                          |                    |                     |         |       |              |                          |
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|                          |                    |                     |         |       |              |                          |
|                          |                    |                     |         |       |              |                          |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |  |  |
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| Examiner      |            | Date Considered  |  |
|---------------|------------|--|--|
| *Examiner:    |            | ference considered, whether or not citation is in conformance with MPEP 609; draw line tation if not in conformance and not considered. Include copy of this form with next eation to applicant. |  |
| Form PTO 1449 | Patent and | Trademark Office - U.S. Department of Commerce   |  |